

# **Employment First Advisory Partnership**

## **2018 Annual Report**

### **Implementation of Colorado's Employment First Strategic Plan**

#### **Executive Summary**

In states embracing an Employment First approach, employment in the general workforce is the first and preferred outcome in the provision of publicly funded services for all working age citizens with disabilities, regardless of level of disability. "Employment First" refers to state systems change initiatives resulting in increased employment outcomes for people with disabilities.

Senate Bill 16-077<sup>1</sup>, "Employment First for Persons with Disabilities," established the state's commitment to improving employment outcomes for Colorado citizens with disabilities. The legislation, sponsored by Senator John Kefalas, then Representative Dianne Primavera and Representative Joann Ginal, created an Employment First Advisory Partnership (EFAP) to identify barriers to employment and make recommendations to the General Assembly and five state agencies to implement an Employment First framework in Colorado.

The initial strategic plan<sup>2</sup>, published November 1, 2017, made recommendations impacting all EFAP agency partners, which includes the Colorado Departments of:

- Labor and Employment (CDLE),
- Health Care Policy and Financing (HCPF),
- Education (CDE),
- Human Services (CDHS), and
- Higher Education (CDHE),

as well as The Colorado Workforce Development Council.

Within the strategic plan are proposed changes to departmental practices and structures, including cross-departmental alignment, as well as consideration of innovative pilot projects and creation of an office to coordinate statewide Employment First efforts. The eight recommendations are summarized as follows:

1. Produce data for all applicable EFAP agency partners that allow measurement of Colorado's progress toward compliance with federal law requiring people with disabilities receive state-funded services in integrated settings (all EFAP agency partners).

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<sup>1</sup> <https://leg.colorado.gov/bills/sb16-077>

<sup>2</sup> Please see "Reports" at <https://www.colorado.gov/pacific/dvr/state-rehabilitation-council>

2. Implement department-wide Employment First policies and practices (CDLE, HCPF, and CDE).
3. Implement a training plan for state service providers on evidence-based practice to expand employment outcomes, in conjunction with employer-led initiatives and networks (all EFAP agency partners).
4. Implement a communication plan with messaging describing available services that support the achievement of successful employment outcomes for people with disabilities, including those with the most significant disabilities, which targets employers, educators, people with disabilities and their families (CDLE).
5. Create an Office of Employment First to coordinate cross-departmental efforts to implement Employment First policies, regulations and practices (Colorado).
6. Develop appropriate funding structures that will increase employment service and support capacity (all EFAP agency partners).
7. Design and coordinate locally-based pilot projects to demonstrate the expansion of employment outcomes for people with disabilities through best-practice employment services and supports implementation (all EFAP agency partners).
8. Become a "model employer" for Colorado citizens with disabilities (Colorado).

The present document, Colorado's 2018 annual report, describes Colorado's progress in implementation of the initial Employment First Strategic Plan recommendations.

## **Year Two: Mission & Process**

Within statute, the State Rehabilitation Council (SRC) is identified as the lead agency to coordinate inter-departmental collaboration and to make recommendations to the general assembly and agency partners related to Employment First policies. The SRC has created an internal Employment First Committee to guide and administer the Employment First Advisory Partnership. The SRC Employment First Committee met monthly or bi-monthly throughout the year to create EFAP monthly meeting agendas, resolve administrative issues and make recommendations to the full EFAP.

In addressing the ongoing work of the EFAP, Senate Bill 16-077 states:

*The Employment First Advisory Partnership shall continue to meet, as necessary, to work on duties set forth in section 8-84-304, to consider revisions to the plan and to provide advice and expertise relating to the subsequent implementation of the plan.<sup>3</sup>*

The above referenced section (C.R.S. 8-84-304) provides a list of EFAP duties:

*The Employment First Advisory Partnership shall:*

*a) make recommendations to ensure that , in providing publicly funded services,*

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<sup>3</sup> C.R.S. 8-84-303 (7) (b)

*competitive integrated employment is the primary objective and preferred outcome for all working age persons with disabilities regardless of level of disability;*  
*b) identify barriers to competitive integrated employment for persons with disabilities;*  
*c) identify unnecessary, inefficient or conflicting agency rules and regulations that make it more difficult for employers to hire persons with disabilities;*  
*d) identify training and knowledge gaps among agency staff, agency vendors and individuals with disabilities and their families that may create obstacles or perceived obstacles;*  
*e) Identify the data available and gaps in data collection that prohibit the measurement of Colorado's progress toward compliance with Olmstead v. L.C.<sup>4</sup>*  
*f) Make recommendations relating to pre-vocational services to ensure that, in compliance with federal law, the services are time-limited and reasonably lead to competitive integrated employment.*

During 2018, nine half-day monthly meetings of the Employment First Advisory Partnership (EFAP)<sup>5</sup> were conducted between April and December. Three EFAP committees were established early in the 2018 process to evaluate recommendation strategies, determine revisions, and advise on implementation. Committees on Policy, Communication/Training and Data were staffed with EFAP members and Subject Matter Experts identified by the EFAP. Committees met throughout the year, reporting out and making recommendations to the EFAP on a monthly basis.

The results of the above described process are documented within this report.

## **2018 EFAP-related Highlights**

**Senate Bill 18-145 Passage** – Senate Bill 18-145<sup>6</sup>, "Implement Employment First Recommendations," was passed by the Colorado General Assembly during the 2018 legislative session. The primary intent of this legislation was to define competency standards for Colorado vendors providing employment services to people with the most significant disabilities. It requires that supported employment service providers funded through the Colorado Division for Vocational Rehabilitation (DVR) and HCPF train their staff through a nationally recognized entity or provide their staff with nationally-

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<sup>4</sup> Olmstead v. L.C. On June 22, 1999, the United States Supreme Court held in *Olmstead v. L.C.* that unjustified segregation of persons with disabilities constitutes discrimination in violation of title II of the Americans with Disabilities Act. The Court held that public entities must provide community-based services to persons with disabilities when (1) such services are appropriate; (2) the affected persons do not oppose community-based treatment; and (3) community-based services can be reasonably accommodated, taking into account the resources available to the public entity and the needs of others who are receiving disability services from the entity. For more information please see: [https://www.ada.gov/olmstead/olmstead\\_about.htm](https://www.ada.gov/olmstead/olmstead_about.htm)

<sup>5</sup> Please see Appendix I. for the 2018 Employment First Advisory Partnership member roster.

<sup>6</sup> <https://leg.colorado.gov/bills/sb18-145>

recognized certification within a five-year period. It also requires DVR to add "Discovery" as a best-practice assessment alternative and directs HCPF to collect annual statistics for individuals eligible for supported employment services and for individuals served in congregate and segregated day service settings.

**Customized Employment Pilot** – Colorado DVR, in collaboration with WINTAC and YTAC<sup>7</sup>, began planning for a customized employment pilot program which began in late 2018. This DVR-funded project established pilots in eight Colorado communities including Colorado Springs, Northglenn, Jefferson County, Aurora, Centennial, Boulder, Longmont and Alamosa with youth, adults and youth in transition target populations. Local teams composed of DVR staff, Community Centered Board representatives and service agencies will receive training from Marc Gold & Associates in discovery, job development/ negotiation and systematic instruction. It is expected that the supported employment providers participating will receive certification in each of the customized employment specialty areas. The promise of customized employment, when combined with systematic instruction techniques, is that all Colorado citizens, no matter how significant their disability, will be able to engage in competitive integrated employment. It is anticipated that these projects will be models for expansion across Colorado.

**Employment First State Leadership Mentoring Program Award** – In early December, 2018 the United States Department of Labor's Office of Disability Employment Policy (ODEP) awarded Colorado a grant to receive training and technical assistance through the Employment First State Leadership Mentoring Program.<sup>8</sup> This grant will provide 200 hours of technical support from national subject matter experts to support Colorado's Employment First strategic plan and efforts to expand supported employment outcomes for people with serious mental illness.

**State Rehabilitation Council (SRC)/EFAP Administrative Support** – The SRC and the EFAP are composed of volunteer members who commit considerable energy to the efforts of their respective work groups. Providing technical assistance and administrative support to their efforts is essential in timely scheduling, coordinating and documenting of their activities. This year the Colorado Workforce Development Council established a collaborative mechanism with DVR to provide essential administrative support to these two bodies.

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<sup>7</sup> WINTAC (Workforce Innovation Technical Assistance Center), YTAC (Vocational Rehabilitation Youth Technical Assistance Center)

<sup>8</sup> <https://www.dol.gov/odep/pdf/EFSLMPOverview.pdf> The applicable EFSLMP objective is to: "Provide mentoring, intensive technical assistance (TA) and training from a national pool of subject matter experts and peer mentors to multi-disciplinary core states as they transform existing policies, service delivery systems, and reimbursement structures to reflect an Employment First approach,"

## 2018 EFAP Agency Partner Implementation Activities

The EFAP has made observable progress during 2018 in implementing strategies recommended within the Employment First Advisory Partnership Strategic Plan. All initial recommendations and strategies have been reviewed and prioritized with minor modifications suggested. Below are descriptions of progress made by EFAP agency partners on each of the 2017 recommendations:

1. Produce data for all applicable EFAP agency partners that allow measurement of Colorado's progress toward compliance with federal law requiring people with disabilities receive state-funded services in integrated settings (all EFAP agency partners).

Data collection strategies have been outlined by both DVR and HCPF. HCPF is in the process of implementing a new data-tracking mechanism consistent with HB 18-145 requirements projected to be live late 2018 and available for data reporting late 2019.

2. Implement department-wide Employment First policies and practices (CDLE, HCPF, and CDE).

All three agencies have made progress in developing departmental Employment First initiatives. For more detailed information please see individual departmental reports to their respective legislative committees of reference.

3. Implement a training plan for state service providers on evidence-based practice to expand employment outcomes, in conjunction with employer-led initiatives and networks (all EFAP agency partners).

DVR, in conjunction with HCPF, has begun the process to establish rules guiding the training of vendor staff providing supported employment services. They also plan to expand implementation of the Individual Placement and Support (IPS) model of supported employment across additional disability populations. Finally, DVR has developed plans to implement best-practice Discovery as an alternative assessment within their fee schedule. HCPF has made progress in developing a cost-reimbursement mechanism for service provider training in best-practice supported employment.

4. Implement a communication plan with messaging describing available services that support the achievement of successful employment outcomes for people with disabilities, including those with the most significant disabilities, which targets employers, educators, people with disabilities and their families (CDLE).

CDLE has created an initial outline of how they would contract for the creation and delivery of such a communication plan if funded.

5. Create an Office of Employment First to coordinate cross-departmental efforts to implement Employment First policies, regulations and practices (Colorado).

DVR/CDLE and HCPF have jointly proposed that a Colorado Office of Employment First be established in 2019 through an appropriation with the 2019-20 Governor's proposed budget.

6. Develop appropriate funding structures that will increase employment service and support capacity (all EFAP agency partners).

HCPF has requested funding from the general assembly to conduct a pilot exploring pay-for-performance incentives that would reward service agencies that produce competitive integrated employment outcomes. DVR has developed an enhanced rate structure within its fee schedule for Discovery and Customized Employment Services which applies to customized employment pilot sites (please see detail for the Customized Employment Pilot under the 2018 EFAP-related Highlights section above). It is anticipated that this rate structure will be implemented statewide during 2020 within the DVR Fee Schedule.

7. Design and coordinate locally-based pilot projects to demonstrate the expansion of employment outcomes for people with disabilities through best-practice employment services and supports implementation (all EFAP agency partners).

DVR/CDLE has completed planning for eight local pilot projects for customized employment demonstrations scheduled to begin in late 2018.

8. Become a "model employer" for Colorado citizens with disabilities (Colorado).

CDLE has created an initiative to create an inclusive state agency employment model for recruiting, hiring and retaining people with disabilities, with the intent of exporting that model to other departments within Colorado state government.

## EFAP Strategic Priorities for 2019

### Office of Employment First

Create an office of Employment First to implement, in consultation with the State Rehabilitation Council and the Governor's office, a cross departmental process within EFAP agency partners to identify state policy, regulation and practice within the five state partner agencies that present barriers to Employment First implementation and develop strategies to remove those barriers and align policy, regulation and practice between EFAP Agency Partners as described in 8-84-303. The Office shall report their suggestions to EFAP for inclusion in the annual report to the legislature.

### Model Employer

Support Colorado's efforts to become a model employer for people with disabilities through:

1. increasing the number of people with disabilities through use of a process modelled after the federal government affirmative action program in response to section 501 of the Rehabilitation Act 1973 (goals of having 12% of its workforce be people with disabilities, and 2% be with targeted disabilities).
2. considering implementation of a non-competitive hiring process modelled after the federal "Schedule A" hiring authority for people with "an intellectual disability, severe physical disability, or psychiatric disability.

### Benefits Planning

Increase access to high quality benefits planning through cross-departmental collaboration to produce initiatives such as Disability Benefits 101 (an online benefits calculator) and increase Community Work Incentives Coordinator availability.

### System Capacity Expansion

Create funding structures that allow for capacity expansion consistent with successful recruitment efforts to fill current and future staffing needs as Employment First efforts expand. Work with the Community College Systems Office, Talent FOUND Gateway, media outlets via PSAs, social media and other methods highlighting the benefits of working as an employment support professional.

## EFAP Strategic Priorities for 2019 (continued)

### Family and Individual Information & Training

Develop a plan for community-based stakeholder information and training sessions for families, youth and adults with disabilities, professionals and community members to inform them of employment first initiative for promoting best practices and to mobilize support implementation within the community.

### Website & Messaging

Develop Employment First website to provide youth, adults and families needed resources on navigating the system which would be person-centered and fully accessible, mirroring the discovery process based on the interests of individuals and families. Such a website would also be a clearing house of information for professionals and educators to access needed resources and information to Employment First efforts.

Develop professionally designed logo, fact sheet, presentation and social media platforms to create a consistent message to reach out to job seekers and families promoting the concept and value of competitive integrated employment, including benefits planning information in a variety of accessible formats.

### Sustainable Funding – Office of Employment First

Obtain additional resources for the Office of Employment First through grant-writing and public/private partnerships.

### Sustainable Funding – DVR Federal Match

Expand matching funds for the Colorado Division of Vocational Rehabilitation (DVR) through Long Bill authorization to access the 21.3% state fund to 78.7% federal fund match.

Color Key:    **Black – Primary Strategy**

**Orange – State Initiative**

**Green – Funding Issue**

**Blue – Information Dissemination**

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## Summary

While considerable progress has been made during 2018, significantly more work needs to be done to achieve the vision expressed within Senate Bill 16-077. With the identification of the above strategic priorities, the Employment First Advisory Partnership has mapped out their objectives for 2019. The Employment First Advisory Partnership plans to continue to meet monthly beginning in March of 2019 and is authorized through statute "to provide advice and expertise relating to the subsequent implementation of the plan" through September 1, 2021. The public may review the Strategic Plan and receive ongoing updates on Employment First Advisory Partnership activities including meeting dates by visiting our webpage at: <https://www.colorado.gov/pacific/dvr/employment-first-advisory-partnership> . All Employment First Advisory Partnership meetings are open to the public and citizen participation is encouraged.

## Appendix: 2018 EFAP Member Roster

| Contributor Name      | City of Residence | Role/Membership Representation   |
|-----------------------|-------------------|--|
| BOYLAN, Marilee       | Fort Collins      | EFAP Co-Chair<br>State Rehabilitation Council (SRC) Member<br>SRC Employment First Committee Co-Chair  |
| BROWN, Cari           | Fort Collins      | Systems Advocacy Specialist/Communications Coordinator<br>The Arc of Larimer County<br>Advocate for people with intellectual and developmental disabilities (SB16-077 requirement)                                       |
| BURNHAM, Candie       | Denver            | Executive Director, Atlantis Community<br>Disability Rights Advocate   |
| CAROL, Katherine      | Denver            | EFAP Co-Chair<br>State Rehabilitation Council (SRC) Member<br>SRC Employment First Committee Co-Chair<br>Office of Disability Employment Policy Subject Matter Expert<br>Family Representative                           |
| DELLEMONACHE, Cassidy | Fort Collins      | Co-owner of Tandem Employment Services of Northern Colorado<br>Member At Large<br>(person with a disability and parent of a child with a disability with an interest in increasing opportunities for people with autism) |
| EINHAUS, Carl         | Denver            | Director of Student Affairs, Colorado Department of Higher Education (CDHE)<br>CDHE Representative (SB 16-077 requirement)   |

|                       |                  |   |
|-----------------------|------------------|---|
| FERRINGTON, Karen     | Golden           | <p>Project Manager MINDSOURCE - Brain Injury Network</p> <p>Member At Large</p> <p>(with particular interest in increasing opportunities for people with acquired brain injury)</p>   |
| HENKE, Patricia       | Boulder          | <p>Statewide Program Manager of Supported Employment</p> <p>Colorado Department of Labor and Employment (CDLE), Division of Vocational Rehabilitation</p>   |
| KNOST, Tom            | Castle Rock      | <p>Director of Activities and Employment Services, Continuum of Colorado</p> <p>Alliance of Colorado Representative</p>   |
| LAWHEAD, Robert "Bob" | Boulder          | <p>Policy Advisor, Colorado Developmental Disabilities Council</p> <p>EFAP Co-Chair</p> <p>State Rehabilitation Council (SRC) Member</p> <p>SRC Employment First Committee Co-Chair</p> <p>Association of People Supporting Employment First (APSE) Member</p> <p>National association of persons supporting the implementation of Employment First policies representative (SB 16-077 requirement)</p> |
| OLIVER, Katie         | Thornton         | <p>Secondary Transition Services Consultant, School to Work Alliance Program</p> <p>Exceptional Student Services, Colorado Department of Education (CDE)</p> <p>State Rehabilitation Council Member</p> <p>CDE Representative (SB 16-077 requirement)</p>   |
| SCHAFFNER, Beth       | Colorado Springs | <p>Director of RSA/Shift Project, PEAK Parent Center</p> <p>State Rehabilitation Council (SRC) Member</p> <p>SRC Employment First Committee Member</p> <p>Family Representative</p>   |

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|--------------------------|-------------------|---|
| SCILACCI, Jennifer       | Steamboat Springs | Manager, Employment First Innovation Unit,<br>Partnership Engagement and Communications<br><br>Colorado Department of Labor and Employment<br>(CDLE), Division of Vocational Rehabilitation<br><br>CDLE Representative (SB16-077 requirement) |
| SMITH, Amy               | Centennial        | State Rehabilitation Council (SRC) Chairperson<br><br>SRC Employment First Committee Member<br><br>Member of the community not connected to any<br>service agency (SB 16-077 requirement)   |
| TEEGARDIN, Stacey        | Edgewater         | Recovery Services Coordinator, Office of<br>Behavioral Health, Colorado Department of<br>Human Services (CDHS)<br><br>CDHS Representative (SB 16-077 requirement)   |
| TOBIN, Romie             | Fort Collins      | Poudre School District Transition Coordinator<br><br>Family Representative  |
| TUCKER, Adam             | Denver            | HCBS Benefits Manager<br><br>Office of Community Living, Colorado Department<br>of Health Care Policy and Financing (HCPF)<br><br>HCPF Representative (SB 16-077 requirement)   |
| WALKER, Bing E.          | Golden            | State Rehabilitation Council (SRC) Member<br><br>SRC Employment First Committee Member  |
| WANG, Julian             | Fort Collins      | Member At Large<br><br>Person with a disability who has secured or is<br>seeking competitive integrated employment<br><br>(SB 16-077 requirement)   |
| WHEELER-BERLINER,<br>Lee | Edgewater         | Managing Director, Colorado Workforce<br>Development Council Office<br><br>State Rehabilitation Council (SRC) Member<br><br>SRC Employment First Committee Member   |
| WINKLER, Josh            | Aurora            | Owner, Cripple Concepts<br><br>Community Living Advisory Group (CLAG)   |

|                               |  |  |
|-------------------------------|--|--|
|                               |  | Member<br><br>Colorado Cross Disability Coalition<br>Representative  |
| <b>Subject Matter Experts</b> |  | (non-voting status)  |
| ADAMS, Caitlin                |  | Community Living Coordinator<br><br>Governor's Office of Legal Counsel   |
| DANN, Krista                  |  | Deputy for Strategic Planning and Continuous<br>Improvement Unit<br><br>Colorado Department of Labor and Employment,<br>Division of Vocational Rehabilitation  |
| LAND, Kelley                  |  | Project Coordinator, Center on Community Living<br>and Careers<br><br>Indiana Institute on Disability and Community<br><br>Indiana University Bloomington  |
| ROBINSON<br>ROSENBERG, Corry  |  | Professor of Pediatrics and Psychiatry<br><br>JFK Partners, Colorado's UCEDDERS<br><br><br>University of Colorado School of Medicine   |
| TALIERCIO, Katie              |  | President<br><br>Colorado Association of People Supporting<br>Employment First (COAPSE)<br><br>Home & Community-Based Services Employment<br>Benefits Specialist<br><br>Office of Community Living, Colorado Department<br>of Health Care Policy and Financing |
| TANIS, Shea                   |  | Assistant Professor<br><br>Department of Psychiatry<br><br>University of Colorado Anschutz Medical Campus<br><br>Acting Executive Director<br><br>Coleman Institute for Cognitive Disabilities   |